

**Regular Kemah City Council Meeting
Kemah Public Facilities Corporation
Kemah Public Facility Transportation Corporation
March 2, 2016
Minutes**

Audio Recording of Council Meeting:

The file containing the audio recording of the meeting (2016-03-02 Council Audio.mp3) is incorporated by reference in this Minutes document. The full duration of this file is 50 minutes 15 seconds. Approximate start times for each section of the meeting are given below to help locate the recording of that section.

Mayor Carl Joiner called the Kemah Council Meeting/Kemah Public Facilities Corporation/Kemah Public Facility Transportation Corporation Meeting to order at 7:00 p.m. in the Council Chambers in Kemah City Hall. Present were City Council Members Rhonda Treviño, Wanda Zimmer, Robert (Bill) Kerber, Jr., Robin Collins, and Wayne Rast. Mayor Carl Joiner declared a quorum. Also in attendance were City Attorney Dick Gregg Jr, City Administrator Wendy Ellis, Community Services Director Nick Haby, Police Chief Greg Rikard, and Interim City Secretary Carlene Neeley.

Attendance Sign In Sheet signatures included JoAnn Blackledge, Les Hart, Debi Hart, Marianne Creely, Sylvia Streater, Jason Tollivar, Kevin Kaiser, Rob Forslund, Austin Haynes, Colene Joiner, and Cathy Bowen.

1. Pledges 00:00:05

Led by Sylvia Streater

2. Moment of Silence 00:00:48

3. Presentations 00:01:08

None

4. Invitation to address council 00:01:12

Marianne Creely – Running for City Council Position 1

Kevin Kaiser – Nautic Group

Bob Payne – Appreciate BAHEP support

5. Council Members Comments and Announcements (Items of Community Interest Only) 00:03:41

Councilman Wayne Rast – read his resignation letter

Councilwoman Robin Collins

Councilman Robert (Bill) Kerber Jr.

Councilwoman Wanda Zimmer

Councilwoman Rhonda Treviño

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6. Mayor's Comments **00:07:55**

7. City Administrator Update **00:08:42**

- Went live with MyGov on March 1
- Nick has prepared all new, simplified forms for Permits, etc.
- Next Council meeting will include a workshop on financials
- Actively meeting with various Regional groups, such as BAHEP, BAHCVB
- Early Voting/Election Day support at City Hall just finished
- City Easter Egg Hunt will be March 19 with staggered hunts by age group
- TxDOT meeting about Hwy 146, preliminary schematics are done; appraisals of property for ROW being done now, will be let in 2018

8. Police Chief Report/Update **00:18:20**

- Filled one slot – new hire starts next Monday; a second is in work
- Extra staff has been brought on for Spring Break
- Had an accident with one of the unmarked vehicles, our fault
- A former chief passed away

9. Consent Agenda **00:19:20**

A. Approval of Minutes

2016-01-20 Joint Council KCDC Workshop Minutes - Corrected

2016-02-03 Council Workshop Minutes

2016-02-03 Council Minutes

2016-02-17 Council Minutes

B. Approval of Bills (\$116,329.02)

C. Approval of Proclamation for Time Capsule

Motion: Approve the items on the consent agenda (No items were requested to be removed from the consent agenda).

Made By: Councilwoman Robin Collins

Seconded By: Councilwoman Wanda Zimmer

Vote: **Motion carried unanimously** by all Council Members present.

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**10. Consideration and possible action to replace the City of Kemah's curfew 00:20:00
Ordinance 1025, in accordance with Section 370.002 of the Texas Local
Government Code with Ordinance 1130 (First Reading)**

Motion: Approve the first reading of Ordinance 1130
Made By: Councilman Robert (Bill) Kerber, Jr.
Seconded By: Councilwoman Wanda Zimmer
Vote: **Motion carried unanimously** by all Council Members present.

**11. Consideration and possible action on approving expenditure for KCDC to 00:21:20
install speed humps for Kemah Oaks per request from HOA (one behind
the backstop near pool on Kemah Oaks Drive and one approx 20' to the
south of the corner of Kemah Oaks Drive and Oak Berry)**

Motion: Approve expenditure by KCDC for speed humps as requested by the
Kemah Oaks HOA, contingent on approval by KCDC.
Made By: Councilwoman Robin Collins
Seconded By: Councilwoman Wanda Zimmer
Vote: **Motion carried 3-2** with Council Members Rhonda Treviño, Wanda
Zimmer and Robin Collins voting Aye and Council Members Robert (Bill)
Kerber, Jr. and Wayne Rast voting Nay.

**12. Consideration and possible action on a variance request at 1441 Bayshore 00:24:41
to encroach inside a 70' rear building line for the purpose of installing a
swimming pool/decking**

Motion: Approve the variance as requested
Made By: Councilwoman Rhonda Treviño
Seconded By: Councilwoman Robin Collins
Vote: **Motion carried unanimously** by all Council Members present.

**13. Consideration and possible action granting a variance associated with 00:28:45
proposed Nautic site at 625 Hwy 146 related to setback**

Motion: Approve the variance as requested

Made By: Councilman Robert (Bill) Kerber, Jr.

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Seconded By: Councilwoman Wanda Zimmer

Councilwoman

Vote: **Motion carried unanimously** by all Council Members present.

Motion carried

**14. Consideration and possible action on a variance request at 701 Kipp 00:34:48
reducing a side building setback**

Motion: Approve the variance as requested

Made By: Councilman Robert (Bill) Kerber, Jr.

Seconded By: Councilwoman Wanda Zimmer

Vote: **Motion carried unanimously** by all Council Members voting;
Councilwoman Rhonda Treviño abstained.

At this point, the Mayor requested that Item 18 be addressed next, which was agreed to by the Council.

**18. Consideration and possible action on approval of Kemah-BAHEP 2015- 00:36:45
2018 Agreement with KCDC**

Motion: Approve the KCDC Agreement with BAHEP

Made By: Councilman Robert (Bill) Kerber, Jr.

Seconded By: Councilwoman Wanda Zimmer

Vote: **Motion carried unanimously** by all Council Members present.

**15. Consideration and possible action to grant a six month extension on a 00:38:32
pipeline permit for Dow Hydrocarbons and Resources LLC**

Motion: Approve the six month permit extension

Made By: Councilwoman Rhonda Treviño

Seconded By: Councilwoman Robin Collins

Vote: **Motion carried unanimously** by all Council Members present.

**16. Consideration and possible action on a Resolution of the City of Kemah, 00:41:00
Texas associated with the City of Kemah/WCID #12 CDBG Grant project
authorizing designated signatories for contractual documents and on State
of Texas documents for requesting funds.**

Motion: Approve the Resolution of the City of Kemah, Texas associated with the

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City of Kemah/WCID #12 CDBG Grant project authorizing designated signatories for contractual documents and on State of Texas documents for requesting funds.

Made By: Councilman Robert (Bill) Kerber, Jr.

Seconded By: Councilwoman Wanda Zimmer

Vote: **Motion carried unanimously** by all Council Members present.

17. Consideration and possible action on approval of August 13, 2014 Council Minutes 00:41:50

Motion: Approve the August 13, 2014 Council Minutes

Made By: Councilwoman Wanda Zimmer

Seconded By: Councilwoman Robin Collins

Vote: **Motion carried unanimously** by all Council Members present.

19. Consideration and possible action on Ordinance 1131 Budget Amendment #2 to support land acquisition and development for City Hall expansion 00:42:50

Motion: Approve the Ordinance 1131, Budget Amendment #2 related to City Hall expansion

Made By: Councilwoman Wanda Zimmer

Seconded By: Councilwoman Rhonda Treviño

Vote: **Motion carried unanimously** by all Council Members voting; Councilman Wayne Rast abstained.

EXECUTIVE SESSION (Open Session recessed at 7:47 pm)

00:46:13

The Board will now hold a closed executive meeting pursuant to the provisions of Chapter 551 of the Texas Government code, in accordance with the authority contained in:

20. Section 551.071. Consultation With Attorney, Contemplated Litigation: Kemah Public Facilities Transportation Corporation contracts with Gulf Coast Center

21. Section 551.074. Deliberation regarding Personnel Matters: Discussion of City Secretary Applications

OPEN SESSION (Open Session reconvened at 8:06 pm – no gap in audio)

00:47:14

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22. Consideration and possible action on items discussed in executive session *00:47:21*

Motion: Approve Ron Cox to negotiate terms and conditions of employment for Carolyn Anderson as the new City Secretary

Made By: Councilwoman Robin Collins

Seconded By: Councilman Robert (Bill) Kerber, Jr.

Vote: **Motion carried unanimously** by all Council Members voting; Councilman Wayne Rast abstained.

23 Council Members Closing Comments *00:48:03*

Councilman Wayne Rast

Councilwoman Robin Collins

Councilman Robert (Bill) Kerber Jr.

Councilwoman Wanda Zimmer

Councilwoman Rhonda Treviño

20. Mayor Closing Comments *00:49:25*

21. Adjournment *00:50:00*

Motion: To adjourn

Made By: Councilman Wayne Rast

Seconded By: Councilwoman Robin Collins

Vote: **Motion carried unanimously** by all Council Members present.

Council was adjourned at 8:09 pm.

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Signature Page:

APPROVED: Carle G. Jr. DATE: 3/16/2016

ATTEST: Paulene A. Nealey